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Attorneys at Law

March 31, 2020

**BY ECF**

The Honorable Paul A. Engelmayer  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re:    *Johnson v. Construction Realty Services Group, Inc., et al.***  
**Case No.: 18-cv- 9347 (PAE)**

Dear Judge Engelmayer:

I represent Plaintiff Javashia Johnson,<sup>1</sup> in the above-captioned case. I write to inform the Court of the status of this action.

As the Court is aware, this is one of several cases alleging sexual harassment claims against the Defendants. Settlement discussions relating to this action, as well as to several other actions against Defendants, have been conducted in connection with an investigation of Defendants by the New York State Attorney General's Office. I was informed approximately three weeks ago that a settlement in principle had been reached which would apply to Ms. Johnson's estate's claims in this action. It will, however, take some time, perhaps several weeks, for the settlement to be finalized and approved on both sides as well as several months for the settlement payments to be made.

In addition, while it may be the Court's practice, as it is the practice of other judges of the Court, to dismiss cases with leave to renew upon notification that a settlement in principle has been reached, I request that the Court not do so here, and in fact I request that the Court leave the case open, or at minimum condition any dismissal with leave to renew, for the period until the settlement moneys are paid, which should be no more than six months. I understand this is an unusual request, but it is also an unusual situation, as Ms. Johnson's estate is, apart from a claim as third party beneficiary of the Attorney General's settlement, dependent upon Defendants and the Attorney General to obtain relief. I believe it is appropriate for Ms. Johnson's estate to have the ability to pursue her case if the settlement falls through or the money is not paid.

I have made a similar application to Judge Woods in the action *Williams v. Construction Realty Services Group, Inc., et al.* Case No.: 18-cv-2973(GHW), to adjourn the date for submission of pre-trial materials which was granted.

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<sup>1</sup> As I previously informed the Court, Ms. Johnson died in November 2019 and the representative of the estate will be substituted when and if necessary.

Thank you for your attention to this matter. To the extent the Court has questions, the parties are available at the Court's convenience for a conference or telephone conference. Of course, I hope that you, your family and staff are all staying safe and healthy.

Sincerely yours,

/s

Jason L. Solotaroff

cc: Lisa Skruck, Esq.

The Court, for now, agrees to keep this matter open pending finalization of the settlement agreement. Counsel is to provide a status update every 30 days, or within one week of the finalization of the settlement. SO ORDERED.



PAUL A. ENGELMAYER 4/2/2020  
United States District Judge